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#6 Supp. IDS
2872
M. Brunson
Patent 11/27/01
252/128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Domenico ORZI, et al.

Serial No.: 09/535,827

Filed: March 24, 2000

For: OPTICAL FILTER ARRANGEMENT

Group Art Unit: 2872

Examiner:

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR § 1.97(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant(s) hereby disclose to the Patent Office patents, publications or other information of which they are aware, that they believe may be material to the patentability of one or more of the pending claims in this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicant(s) shall not be construed as an admission that any such patent, publication or other information referred to therein is material or

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CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 28, 2001
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considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention unless specifically designated by Applicant(s) as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

Attached is PTO Form 1449 listing the patents, publications and other information that may be material to the patentability of one or more claims of the subject application. Copies of all such items are enclosed herewith. Applicant respectfully requests that a copy of Form PTO-1449, as considered and initialed by the Examiner, be returned with the next communication.

With respect to EP O 103 217, Applicant notes that this reference was also cited in the Information Disclosure Statement filed July 5, 2001. However, Applicant inadvertently failed to include a concise statement of the relevance of this reference as required by 37 CFR 1.98(a)(3). In this regard, Applicant notes that U.S. Patent No. 4,715,702 to Dillon, which was also cited in the Information Disclosure Statement filed July 5, 2001, is, according to Applicant's understanding, the U.S. equivalent of EP O 103 207.

This Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR § 1.97(b)(3), that is before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under § 1.97(c) and is further

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authorized to charge any fee required by the filing of these papers to Lyon & Lyon's Deposit

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Respectfully submitted,

LYON & LYON LLP

Dated: August 28, 2001

By: 

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Enclosures: PTO Form 1449